

LEGAL ACTION REPORT
TUCSON POLICE AND FIRE
PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM BOARDS
MEETING OF MONDAY, OCTOBER 08, 2007
CITY OF TUCSON FINANCE DEPARTMENT CONFERENCE ROOM
FIFTH FLOOR OF CITY HALL 255 W. ALAMEDA, TUCSON, AZ
10:06 A.M.

1. ROLL CALL (Mr. Walkup called the meeting to order.)

Police Board Members:

Robert Walkup	- Chair
Marion Pickens	- Member
Joe Ladenburg	- Member
Tom Garrison	- Member
Mike Gurr	- Member

Fire Board Members:

Robert Walkup	- Chair
Marion Pickens	- Member
Joe Ladenburg	- Member
Mike McKendrick	- Member
Roger Tamietti	- Member

2. POLICE CONSENT AGENDA: ITEMS A – G

- A. MINUTES FOR APPROVAL – 09/11/07
- B. PENSION PAYROLL – Deletion of Normal Service Retirement for Marvin D. Schrieffer in the amount of \$2,746.28 due to his death on September 14, 2007 and addition of Survivors benefit in the amount of \$2,197.02 for Patricia A. Schrieffer.
- C. SURVIVORS BENEFIT
Patricia Schrieffer – Marvin passed away 09/14/07 – Pension effective 10/01/07
- D. DEFERRED RETIREMENT OPTION PLAN
Timothy J. Beam – Election to participate in the DROP 09/30/07
- E. REDEMPTION OF PRIOR SERVICE

Ricky Hovden – Redemption of prior service from Decorah, Iowa Police 4.786 years in the amount of \$108,848.00

Fernando Valencia – Redemption of prior service Pima County – CORP 2.919 years in the amount of \$84,239.00

- F. RETAINER FEE OF \$400 PLUS COSTS-DAVID McEVOY, ATTORNEY
- G. EXPENDITURE STATEMENT IN THE AMOUNT OF \$250.00 FOR APPLICATION DISABILITY PHYSICAL for Tim Peterson (\$250.00) and by Dr. Dennis Thrasher at Sunnyside Medcenter

MOTION by Mr. Garrison, seconded by Mr. Gurr that Police Board Items A-G are adopted and appropriate action taken. Motion **CARRIED** by a roll call vote of 5-0.

3. FIRE CONSENT AGENDA: ITEMS A – E

- A. MINUTES FOR APPROVAL – 09/11/07
- B. PENSION PAYROLL – Addition of Normal Service Retirement for Scott McKinney out of DROP in the amount of \$ 2,441.42.
- C. NORMAL SERVICE RETIREMENT
Scott McKinney – Last day worked **09/28/07 – Pension effective 10/01/07
- D. REDEMPTION OF PRIOR SERVICE
Joyce Carrasco – Redemption of prior military service 3.036 years in the amount of \$39,999.00.
- E. RETAINER FEE OF \$400 PLUS COSTS-DAVID McEVOY, ATTORNEY

MOTION by Mr. McKendrick, seconded by Mr. Tamietti that Item A – E are adopted and the proper action taken. Motion **CARRIED** by a roll call vote of 5-0.

4. APPLICATION FOR DISABILITY RETIREMENT EXECUTIVE SESSION Discussion or consideration of records exempt by law from public inspection A.R.S. 38-431.03[2] and discussion or consultation for legal advice with attorney staff A.R.S. 38-431.03 (A [3 & 4])

Police – Attachments

Frank Kingman
Tim Peterson

There was no executive session.

5. APPLICATION FOR DISABILITY RETIREMENT
Direction regarding Executive Session

Police
Frank Kingman

MOTION by Mr. Garrison, seconded by Mr. Gurr that based on the medical evidence provided and letter by Dr. Thrasher dated October 3, 2007 the Board approve the application for permanent accidental disability retirement for Mr. Frank Kingman to be effective upon separation from the Police Department. Motion **CARRIED** unanimously.

Mr. Garrison and Mr. Walkup thanked Mr. Kingman on behalf of the Board and Citizens of Tucson for his service to Tucson.

Tim Peterson

MOTION by Mr. Garrison, seconded by Mr. Gurr that based on the medical evidence provided and letter by Dr. Thrasher dated September 26, 2007 the Board approve the application for permanent accidental disability retirement for Mr. Tim Petersen to be effective upon separation from the Police Department. Motion **CARRIED** unanimously.

Mr. Garrison and Mr. Walkup thanked Mr. Petersen on behalf of the Board and Citizens of Tucson for his service to Tucson.

6. APPLICATION FOR DISABILITY RETIREMENT EXECUTIVE SESSION
Discussion or consideration of records exempt by law from public inspection A.R.S. 38-431.03[2] and discussion or consultation for legal advice with attorney staff A.R.S. 38-431.03 (A [3 & 4])
Police - Attachments

James Parks
Caroline Stover

There was no executive session.

7. APPLICATION FOR DISABILITY RETIREMENT

Direction regarding Executive Session

Police

James Parks

MOTION by Mr. Garrison, seconded by Mr. Gurr that based on the medical evidence presented by Mr. James Parks regarding his application for Permanent Accidental Disability, he make an appointment to see Dr. Thrasher, Board Physician. Motion **CARRIED** Unanimously.

Caroline Stover

MOTION by Mr. Garrison, seconded by Mr. Gurr that this item be tabled until such time that Ms. Stover submits medical documentation that can explain what happened between November 2003 and June of 2006. Motion **CARRIED** Unanimously.

8. CONSIDERATION OF RULE 16 – ANNUAL PHYSICAL

EXECUTIVE SESSION Discussion or consideration of records exempt by law from public inspection A.R.S. 38-431.03[2] and discussion or consultation for legal advice with attorney staff A.R.S. 38-431.03 (A [3 & 4])

Police – Attachments

Stephan Hippel – Hired: 05/13/92 Disability: 01/03/98 Last Physical: 10/23/06

There was no executive session.

9. CONSIDERATION OF RULE 16 – ANNUAL PHYSICAL

Board Direction Regarding Executive Session

Police

Stephan Hippel

MOTION by Mr. Garrison, seconded by Mr. Gurr that Mr. Hippel is in compliance with Rule 16, his physical is waived for this year, and this item will be brought back for consideration in one year. Motion **CARRIED** Unanimously.

10. ELECTION

Police - Update

This was an information item only, no action taken.

11. PROFORMA BUDGET 2008/09

Police & Fire - Attachments

This was an information item only, no action taken.

12. BOARD STAFF

Police & Fire - Attachment

MOTION by Mr. Garrison, seconded by Mr. Gurr to send a letter to Human Resources that Ms. Martinez's current position as Administrative assistant does not meet the criteria of this Board and the position needs to be changed to the position of Staff Assistant, starting salary \$48,000.00 per year. Motion **AMENDED** by Mr. Garrison, to include that the board establish a subcommittee and make an appointment with the Human Resources Department and to discuss the need for this change. Motion **CARRIED** Unanimously.

MOTION by Mr. McKendrick, seconded by Mr. Tamietti to send a letter to Human Resources that Ms. Martinez's current position as Administrative assistant does not meet the criteria of this Board and the position needs to be changed to the position of Staff Assistant, starting salary \$48,000.00 per year. Motion **AMENDED** by Mr. McKendrick, to include that the board establish a subcommittee and make an appointment with the Human Resource Department office to discuss the need for this change. Motion **CARRIED** Unanimously.

13. FUND INFORMATION

Police & Fire

This was an information item only, no action taken.

14. ADJOURNMENT: 11:04 A.M.

The next regular meeting of the Tucson Police and Fire Public Safety Personnel Retirement System Boards is scheduled for **9:00 A.M.** on Tuesday, **November 13, 2007**, in the Finance Department Conference Room, Fifth floor of City Hall, 255 W. Alameda, Tucson, AZ.